

# **EXHIBIT C-2**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS, LLC d/b/a  
BRAZOS LICENSING AND  
DEVELOPMENT,**

*Plaintiff,*

**V.**

**CANON, INC.,**

*Defendant.*



**Civil Action No.: 6:20-cv-00981-ADA**

## JURY TRIAL DEMANDED

**PLAINTIFF WSOU INVESTMENTS, LLC D/B/A BRAZOS LICENSING  
AND DEVELOPMENT'S RULE 26(A)(1) INITIAL DISCLOSURES**

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development (“WSOU” or “Plaintiff”), by and through its attorneys of record, and pursuant to the Agreed Amended Scheduling Order (Dkt. 34) and Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure, provides the following Initial Disclosures (“Initial Disclosures”) to Defendant Canon, Inc. (“Canon” or “Defendant”). These Initial Disclosures are based upon information WSOU has acquired to date. WSOU’s investigation is ongoing. Consistent with Federal Rule of Civil Procedure 26(e), WSOU will modify, amend, and/or further supplement these Initial Disclosures as additional information becomes available.

These disclosures are made without waiving the right to object to the production of any document or tangible thing disclosed on the grounds of competency, privilege, relevance and materiality, hearsay, undue burden, the work-product doctrine, or any other proper ground; the right to object to the use of any such information, for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; or the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the

subject matter of these Initial Disclosures.

### **INITIAL DISCLOSURES**

#### **A. Federal Rule of Civil Procedure 26(a)(1)(A)(i). Persons Likely to Have Discoverable Information**

Pursuant to Rule 26(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and to the extent known by WSOU, the following individuals are likely to have discoverable information that WSOU may use to support its claims and defenses. The following disclosure does not include expert witnesses, who will be identified at a later date in accordance with the Federal Rules of Civil Procedure, the Local Rules for the Western District of Texas, and the Agreed Amended Scheduling Order (Dkt. 34). In providing this information, WSOU is not waiving any applicable privilege or work product protection, and no current employee or consultant of WSOU may be contacted without the prior consent of WSOU's counsel. WSOU expressly reserves the right to identify and to call as witnesses additional persons if, during the course of discovery and investigation relating to this case, WSOU learns that such additional persons have relevant knowledge. Furthermore, by including an individual on the below list, WSOU does not waive, and expressly preserves, its rights to object to any deposition or trial testimony of any such individual.

On information and belief, the following individuals may possess information relevant to this litigation:

Name/Contact Information	Connection to Case	Knowledge
Miska Hannuksela  <i>Contact via counsel for WSOU</i>	Named inventor of U.S. Patent No. 7,116,714 Patent (“the ‘714 Patent”)	Conception, reduction to practice, design, and development relating to the ‘714 Patent; prosecution of the ‘714 Patent; commercialization, public demonstrations, and public disclosure of embodiments of the ‘714 Patent; history of the technology disclosed and claimed in the ‘714 Patent.
Nokia Corporation  <i>Contact via counsel for WSOU</i>	Original assignee of the ‘714 Patent	Conception, reduction to practice, design, and development relating to the ‘714 Patent; prosecution of the ‘714 Patent; commercialization, public demonstrations, and public disclosure of embodiments of the ‘714 Patent; history of the technology disclosed and claimed in the ‘714 Patent.
Craig Etchegoyen  <i>Contact via counsel for WSOU</i>	WSOU’s Chairman	Ownership and assignment of the ‘714 Patent; WSOU’s business, commercialization and licensing activities, and the technology claimed in the ‘714 Patent.
Stuart A. Shanus  <i>Contact via counsel for WSOU</i>	WSOU’s President	Ownership and assignment of the ‘714 Patent; legal issues arising out of and related to WSOU’s business and commercialization and licensing activities.
Marshall J. Brown, Esq. Foley & Lardner LLP 321 North Clark Street Suite 3000 Chicago, IL 60654-4762 312.832.4500	Patent attorney involved in the prosecution of the ‘714 Patent	Prosecution of the ‘714 Patent.

Name/Contact Information	Connection to Case	Knowledge
Foley & Lardner LLP 321 North Clark Street Suite 3000 Chicago, IL 60654-4762 312.832.4500	Patent attorneys involved in the prosecution of the '714 Patent	Prosecution of the '714 Patent.
Canon, Inc.	Current and former directors and employees of Canon, Inc.	Information and documents related to: Canon's business; design, development, operation, manufacture, testing, marketing, sale, and importation of its Canon EOS C70, Canon EOS C100 Mark II and related products and/or services ("Accused Products"); value of the accused features and functionalities; and licensing and commercialization of comparable patents.
Canon, Inc.	Employee(s) of Canon, Inc. who will represent the company at the trial of this case	Information and documents related to: Canon's business; design, development, operation, manufacture, testing, marketing, sale, and importation of the Accused Products; value of the accused features and functionalities; and licensing and commercialization of comparable patents.
Canon USA, Inc.	Current and former directors and employees of Canon USA, Inc.	Information and documents related to: Canon's business; design, development, operation, manufacture, testing, marketing, sale, and importation of the Accused Products; value of the accused features and functionalities; and licensing and commercialization of comparable patents.

Name/Contact Information	Connection to Case	Knowledge
Canon Solutions America, Inc.	Current and former directors and employees of Canon Solutions America, Inc.	Information and documents related to: Canon's business; design, development, operation, manufacture, testing, marketing, sale, and importation of the Accused Products; value of the accused features and functionalities; and licensing and commercialization of comparable patents.
Canon Kabushiki Kaisha	Current and former directors and employees of Canon Kabushiki Kaisha	Information and documents related to: knowledge of the '714 Patent and licensing and commercialization of comparable patents.
Bill Benavides	Administrator at Canon USA, Inc.	Canon USA, Inc.'s business activities and corporate structure.
Doug Marsolan	Sales engineer at Canon USA, Inc.	Technical information concerning the operation and sales of the Accused Products.
Jill Curtis	Consulting Counsel at Canon USA, Inc.	Contracting and sales information concerning the Accused Products.
Laura Romerom	Shipping and Receiving Specialist at Canon USA, Inc.	Shipping and sales information concerning the Accused Products.
Nicky Drake	Technical Representative and Dealer Educator at Canon USA, Inc.	Technical information concerning the operation and sales of the Accused Products.
Michael J.	Technical Marketing Analyst at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.

Name/Contact Information	Connection to Case	Knowledge
Anthony Moore	Former Project Account Manager at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.
Christopher Riddle	Former Camera Repair Technician Canon USA, Inc.	Technical information concerning the operation of the Accused Products.
Curtis Alexander II	Former Account Relations Representative at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.
Liz Ruvalcaba	Former Account Relations Representative at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.
Warndalyn Triche	Former Account Relations Representative at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.
Tina Roberts	Former Technical Sales Executive at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.
Robert Baker III	Former Technical Sales Executive at Canon USA, Inc.	Technical information concerning the operation, sales and marketing of the Accused Products.
Aafes Headquarters	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Apple Computer, Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.

<b>Name/Contact Information</b>	<b>Connection to Case</b>	<b>Knowledge</b>
Arlington Camera	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Armadillo Camera	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Audio Visual Dallas	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Camera Exchange	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Competitive Camera	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Data Display Audio Visual Co	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Dell Computer Corp.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Fort Worth Camera Supply	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Garland Camera & Repair Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.



<b>Name/Contact Information</b>	<b>Connection to Case</b>	<b>Knowledge</b>
Houston Camera Exchange	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Humble Camera Center	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Industrial Audio Video Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Lubbock Audio Visual, Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Michaels	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Omega Broadcast Group	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Precision Camera & Video	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Red River Paper	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Rent-A-Center, Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.

Name/Contact Information	Connection to Case	Knowledge
Texas Media Systems, Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.
Videotex Systems Inc.	Authorized Dealer of Canon USA, Inc. Products in Texas.	Information and documents related to: Canon's business activities in the Western District of Texas.

Representatives for Canon: It is believed that representatives from Canon in this litigation will have knowledge relevant to the development, use, offers to sell, selling, providing, maintaining, and/or supporting the website portals, applications, and devices using the technology at issue in this case, as well as the alleged infringement of the '714 Patent.

WSOU may also rely on individuals or entities identified in the initial disclosures served by any other party, individuals, or entities disclosed in documents produced during the course of discovery, individuals, or entities disclosed in Canon's discovery responses or during the taking of any depositions, all expert witnesses designated by any party, or any third-party individuals or entities that are subpoenaed, deposed, or disclosed during the course of discovery. WSOU reserves all rights to supplement or amend this disclosure in light of further investigation, analysis, discovery, positions taken by Canon or other parties, or developments in the case

**B. FRCP 26(a)(1)(A)(ii). Description and Location of Relevant Documents**

Pursuant to Rule 26(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, WSOU may rely upon the following categories of non-privileged documents, data compilations, electronically stored information, or tangible things, if any, that are within WSOU's possession, custody, or control, in support its claims or defenses:

- a. The '714 Patent;

- b. File History of the '714 Patent;
- c. Documents relating to ownership and the right to enforce the '714 Patent;
- d. Documents relating to Canon's knowledge of and notice of the '714 Patent;
- e. Licenses/settlement agreements and non-privileged communications concerning licensing the '714 Patent;
- f. Documents and/or data that indicate infringement by Canon, including Canon's hardware and software functionality, or otherwise related to WSOU's claim of infringement;
- g. Documents relating to the damages necessary to compensate WSOU for Canon's infringement;
- h. Documents related to rebutting any of Canon's defenses, including but not limited to documents pertaining to any objective indicia of non-obviousness;
- i. Correspondence between the parties;
- j. Documents in WSOU's custody, possession, and/or control referring or relating to factual allegations referenced in WSOU's and/or Canon's pleadings.

To the extent documents within any of these categories are within WSOU's possession, such documents are located WSOU's office at 605 Austin Avenue, Suite 6, Waco, Texas 76701. WSOU believes that other documents within these categories will be in the possession of Canon. WSOU's investigation is ongoing, and WSOU reserves all rights to disclose and use additional documents and/or information in light of further investigation, analysis, discovery, positions taken by Canon or other parties, or developments in the case.

**C. FRCP 26(a)(1)(A) (iii). Computation of Damages**

Given the ongoing nature of WSOU's injury, the state of discovery, and the need for expert testimony to assess the scope of the injury, WSOU is not yet in a position to compute its damages in this action. Information needed for such computation is in the possession, custody, or control of Canon and has not been produced to WSOU.

WSOU will rely on a damages expert and, therefore, will provide its computation of damages at the time for expert disclosures in accordance with the Court's Agreed Amended Scheduling Order. At present, WSOU intends to seek all relief and recover all remedies available under the Patent Act for Canon's infringement of the '714 Patent, including at least monetary damages pursuant to 35 U.S.C. § 284 to compensate for said infringement in an amount no less than a reasonable royalty for use of the inventions by Canon, plus interests and costs. WSOU also intends to seek enhanced damages pursuant to 35 U.S.C. § 284 based on Canon's conduct as it relates to numerous *Read* factors. *Read Corp. v. Portec, Inc.*, 970 F.2d 816, 827 (Fed. Cir. 1992). WSOU further intends to seek prejudgment interest from the date of infringement to the date of judgment, an on-going royalty for future infringement, any supplemental damages as appropriate, and its attorneys' fees and costs. WSOU is still investigating whether other damages would be appropriate.

WSOU may supplement this response as information is provided by Canon and, further, in accordance with all disclosures relating to the opinions and testimony of testifying experts.

**D. FRCP 26(a)(1)(A)(iv). Insurance Agreements**

WSOU is presently unaware of any such agreements.

**RESERVATION OF RIGHTS**

WSOU reserves its right to supplement and amend its Initial Disclosures in accordance with Rule 26 as information is obtained throughout the discovery process. WSOU's Initial Disclosures are not intended to and do not constitute a waiver of any objections that WSOU may have, now or in the future, to any discovery in this action.

Dated: October 8, 2021

RESPECTFULLY SUBMITTED,

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**ATTORNEYS FOR PLAINTIFF**  
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**d/b/a BRAZOS LICENSING AND  
DEVELOPMENT**

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing instrument was served or delivered electronically to all counsel of record, on this 8th day of October, 2021.

/s/ Jonathan K. Waldrop  
**Jonathan K. Waldrop**